



**IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.**

**Dated: May 25, 2023.**

  
\_\_\_\_\_  
**MICHAEL M. PARKER**  
**UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>IN RE:</b>	§	
	§	
<b>LETICIA MARTINEZ,</b>	§	<b>CASE No. 20-60251-MMP</b>
	§	
<b>DEBTOR.</b>	§	<b>CHAPTER 13</b>

**ORDER TO APPEAR AND SHOW CAUSE**

The Court reviewed the docket sheet, including the *Motion of Sandra Baumgardner for Relief from Stay and Waiver of Thirty Day Requirement* (ECF No. 62), the *Motion to Late File Proof of Claim* (ECF No. 67), the *Trustee's Response to Motion of Sandra Baumgardner for Relief from Stay and Waiver of Thirty Day Requirement* (ECF No. 69), the Debtor's *Schedules and Statement of Financial Affairs* (ECF No. 11), and the Debtor's *Amended Schedules A/B, C, and D* (ECF No. 71), filed three years after the Debtor's original schedules and only after a secured real property creditor sought to lift the stay (ECF No. 62) and late file a claim (ECF No. 67). Based on these filings, it appears to the Court that the Debtor may have disclosed for the first time (three

years into her chapter 13 case) an interest in the real property located at 500 N 62nd St., Waco, TX, 76710 and related secured claim. The circumstances of such non-disclosure suggest the Debtor may have acted in bad faith, warranting conversion of the Debtor's case to a case under Chapter 7. *See Marrama v. Citizens Bank*, 549 U.S. 365 (2007). Accordingly, the Court will conduct a show-cause hearing to determine why this case should not be converted to a Chapter 7 case under either *Marrama* or 11 U.S.C. § 1307(c). It is, therefore,

**ORDERED** that the above-captioned Debtor and Debtor's attorney (if applicable) appear before this Court on **JUNE 14, 2023, AT 9:30 A.M.** in the United States Bankruptcy Court for the Western District of Texas, United States Courthouse, 800 Franklin Avenue, Waco, Texas, and show cause as to why this case should not be converted to a Chapter 7 case.

**Parties are required to appear at the hearing in person.** If counsel or a party wishes to attend the hearing remotely by video via the Court's WebEx platform or telephone, they may file a request with Judge Parker in CM/ECF using the "Other" category and may appear remotely **only with leave of court.**

# # #

In re:  
Leticia Martinez  
Debtor

Case No. 20-60251-mmp  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0542-6  
Date Rcvd: May 25, 2023

User: admin  
Form ID: pdfipac

Page 1 of 2  
Total Noticed: 19

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 27, 2023:**

Recip ID	Recipient Name and Address
db	+ Leticia Martinez, 500 N 62nd St, Waco, TX 76710-5609
cr	+ Sandra Patricia Baumgardner, et al, P.O. Box 7, China Spring, TX 76633-0007
18001441	+ 2920 Old Robinson Land Trust, c/o Sherer & Associates, PLLC, 18756 Stone Oak Parkway, Ste 200, San Antonio, TX 78258-4354
18002382	+ 2920 Old Robinson Land Trust, c/o Eric D. Sherer, Attorney, Sherer & Associates, PLLC, 18756 Stone Oak Parkway, Suite 200, San Antonio, Texas 78258-4354
18001443	+ City of Waco, Waco ISD, c/o Tara LeDay, P.O. Box 1269, Round Rock, TX 78680-1269
18222260	+ Drive Casa LLC, 7929 Brookriver Dr., Dallas, TX 75247-4900
18080454	+ Drive Casa LLC, 3312 Marvin D Love Fwy, Dallas, TX 75224-4019
18470160	+ Jose Guadalupe Lopez, Attn: John Malone, 5400 Bosque Blvd., Ste. 308, Waco, Texas 76710-4446
18001448	+ McLennan County, c/o Linebarger Goggan et al, PO Box 17428, Austin, TX 78760-7428
18470164	+ Patricia Baumgardner, Jose, Guadalupe Lopez, Maria C. Lopez, c/o John Malone, 5400 Bosque Blvd., Ste. 308, Waco, TX 76710-4446
18470161	+ Sandra Patricia Baumgardner, Jose Guadalupe Lopez, P.O. Box 7, China Spring, Texas 76633-0007

TOTAL: 11

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
18001443	+ Email/Text: julie.parsons@mvalaw.com	May 25 2023 23:48:00	City of Waco, Waco ISD, c/o Tara LeDay, P.O. Box 1269, Round Rock, TX 78680-1269
18001444	+ Email/Text: electronicbkydocs@nelnet.net	May 25 2023 23:50:00	Dept of Education/nelnet, 121 S 13th St, Ste 201, Lincoln, NE 68508-1911
18001445	Email/Text: sbse.cio.bnc.mail@irs.gov	May 25 2023 23:49:00	Internal Revenue Service, 300 E 8th St., STOP 5026AUS, Austin TX 78701-3233
18002652	+ Email/Text: Austin.Bankruptcy@lgbs.com	May 25 2023 23:48:00	McLennan County, c/o Diane W. Sanders, Linebarger Goggan Blair & Sampson, LLP, P.O. Box 17428, Austin, TX 78760-7428
18009722	+ Email/Text: bankruptcy@gopfs.com	May 25 2023 23:50:00	PRESTIGE FINANCIAL SERVICES, PO BOX 26707, SALT LAKE CITY, UT 84126-0707
18024928	+ Email/PDF: resurgentbknofications@resurgent.com	May 25 2023 23:52:37	Pinnacle Service Solutions LLC, 4408 Milestrip Rd #247, Blasdel, NY 14219-2553
18001449	+ Email/Text: bankruptcy@gopfs.com	May 25 2023 23:50:00	Prestige Financial Svc, Attn: Bankruptcy Department, PO Box 26707, Salt Lake City, UT 84126-0707
18020366	Email/Text: bnc-quantum@quantum3group.com	May 25 2023 23:49:00	Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788, Kirkland, WA 98083-0788
18037398	+ Email/Text: bncmail@w-legal.com	May 25 2023 23:50:00	eMoneyUSA Holdings, LLC, C/O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

TOTAL: 9

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
18001447		John Martinez
cr	*+	2920 Old Robinson Land Trust, c/o Sherer & Associates, PLLC, 18756 Stone Oak Parkway, Suite 200, San Antonio, TX 78258-4354
cr	*+	City of Waco, Waco ISD, c/o Tara LeDay, P.O. Box 1269, Round Rock, TX 78680-1269
18003749	*+	City of Waco, Waco ISD, c/o Tara LeDay, P.O. Box 1269, Round Rock, TX 78680-1269
18001446	*	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
18009777	*	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
18042893	*	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
18002653	*+	McLennan County, c/o Diane W. Sanders, Linebarger Goggan Blair & Sampson, LLP, P.O. Box 17428, Austin, TX 78760-7428
18001442	##+	Car Barn, 2020 Franklin Ave, Waco, TX 76701-1631

TOTAL: 1 Undeliverable, 7 Duplicate, 1 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 27, 2023

Signature: /s/Gustava Winters

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 25, 2023 at the address(es) listed below:

Name	Email Address
Diane W. Sanders	on behalf of Creditor McLennan County austin.bankruptcy@publicans.com
Eric David Sherer	on behalf of Creditor 2920 Old Robinson Land Trust esherer@sherer.legal
Evan M. Simpson	on behalf of Debtor Leticia Martinez evan@hotxlaw.com ecf@happenney.com;marie@hotxlaw.com
Evan McLean Simpson	on behalf of Debtor Leticia Martinez evan@hotxlaw.com marie@hotxlaw.com;LawOfficeofEvanSimpsonPLLC@jubilee bk.net
G. Ray Hendren	courtmail@rayhendren13.com courtmailbackup@rayhendren13.com
John D. Malone	on behalf of Creditor Sandra Patricia Baumgardner et al myra@johnmalonepc.com, rdmcfadden@gmail.com
Tara LeDay	on behalf of Creditor City of Waco Waco ISD tleday@ecf.courtdrive.com;pbowers@mvalaw.com;vcovington@mvalaw.com;bankruptcy@mvalaw.com;alocklin@mvalaw.com
United States Trustee - WA12	ustpregion07.au.ecf@usdoj.gov

TOTAL: 8